

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

INSTITUT NATIONAL DES
SCIENCES APPLIQUEES (INSA),

Plaintiff,

v.

HON. DAVID J. KAPPOS,
Under Secretary of Commerce for
Intellectual Property &
Director of the United States
Patent & Trademark Office

Defendant.

Civil Action No. 1:09-cv-00630-CKK

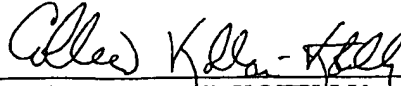
ORDER

Upon consideration of the parties' Joint Motion for Remand, and the record herein, it is hereby **ORDERED** that the joint motion BE, and it hereby IS, **GRANTED**.

It is further **ORDERED** that the Plaintiff's existing patent-term calculation is hereby **VACATED**; and

It is further **ORDERED** that the matter is **REMANDED** to the United States Patent and Trademark Office for recalculation and adjustment of the disputed patent term in accordance with the decision of the United States Court of Appeals for the Federal Circuit in Wyeth & Elan Pharma Int'l Ltd. v. Kappos, 591 F.3d 1364 (Fed. Cir. 2010).

SO ORDERED this 22nd day of June, 2010.


COLLEEN KOLLAR-KOTELLY
United States District Judge